UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,543	03/14/2001	Joseph Robert Marchese	P-3001-2 JDS	3819

29318 7590 07/14/2004		EXAMINER
JAMES D. STEVENS		HENN, TIMOTHY J

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ART UNIT	PAPER NUMBER
2612	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _26 April 2004_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-65_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) _1-31,35,37-49 and 59-65_ is/are allowed.

6) ☒ Claim(s) _50,51,53,54 and 56-58_ is/are rejected.

7) ☒ Claim(s) _52 and 55_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _14 March 2001_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The amendment filed on April 26, 2004 overcomes the objections to the specification, these objections are therefore withdrawn.

Claim Objections

2. The amendment filed on April 26, 2004 overcomes the objections to claims 30 and 50, these objections are therefore withdrawn.

Response to Arguments

3. Applicant's arguments filed on April 24, 2004 in regard to claims 50-58 have been fully considered but they are not persuasive. In the amendment, the applicant argues that it would not have been obvious to use the tar program, which is traditionally a UNIX based utility, in conjunction with the Microsoft Windows based Webcam Watcher program. However, it is noted that the existence of Microsoft Windows versions of common UNIX utilities such as tar (see for example, "A Brief History of the Cygwin Project"), as well as windows specific programs which include the same archiving functionality of tar are well known in the art.

The applicant further argues that the references do not disclose the use of markers, such as start and end markers for each image. As originally noted in the rejection of claim 50, the start-of-image markers (SOI) and end-of-image markers (EOI) are part of the JPEG standard (see for example, Figure B.2 of the JPEG standard).

When a group of JPEG files are concatenated together in a tar file, SOI (FFD8) and EOI (FFD9) markers will inherently be included in the resulting file.

It is therefore thought that all of the applicants arguments with regard to claim 50-58 have been addressed, and as such the previous rejections stand.

The office action in paper number 2 contains Official Notice statements which have not been traversed by the applicant. Therefore, these statements have therefore been taken as admissions of prior art as dictated by MPEP § 2144.03.

Claim Rejections - 35 USC § 103

4.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5.   Claim 50, 53-54, 56-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webcam Watcher v1.2 in view of Tar.

[claim 50]

In regard to claim 50, note that Webcam Watcher is typically implemented on a well-known personal computer which includes a digital storage device, and that Webcam Watcher is operable to save a sequence of images which are represented in a graphics file format that includes a first marker identifying the start of the image and a second marker identifying the end of the image (inherent to JPEG files). Therefore it can be seen that Webcam Watcher lacks a storage system where the images are stored together as a single file that comprises the images concatenated together in sequential order. Tar implements an archive system, which comprises files to be

archived, concatenated together as claimed. It would have been obvious to one of

ordinary skill in the art at the time the invention was made to combine the archive

system of Tar with the system of Webcam Watcher to allow Webcam Watcher to store

video images concatenated together in a single file. However, it can be seen that

Webcam Watcher in view of Tar lacks operability to index the file using the first and

second markers. However, the examiner notes that indexing a file in such a manner is

essentially no different that creating a simple well-known file system (see for example,

"A Fast File System for UNIX") within the confines of a tar file (Official Notice). A basic

computer file system comprises data files, and information describing the data files such

as ownership information, date information and pointers to the start and end of the file.

This information is commonly stored separately from the file in a special file called a

"directory". It is commonly known that indexing files in such a way allows one to quickly

access specific data stored within the file system with out taking extra time to search the

entire file system for the specific file. It is also commonly known that programs which

store large amounts of data frequently do so using their own file systems created in files

which reside on system file systems to allow the programs greater control over how files

are stored and accessed (Official Notice). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to use a custom file system

built on top of the system file system to store the images downloaded by Webcam

Watcher in view of Tar to add indexing to allow faster access to specific images as is

well-known in the art.

[claim 53]

In regard to claim 53, note that in order for a custom file system to be effective, it must use the index to locate individual images within the data file or "said single file" as claimed.

[claim 54]

In regard to claim 54, note that Webcam Watcher is operable to display individual images on a computer as claimed.

[claim 56]

In regard to claim 56, note that start of image (FF D8) and end of image (FF D9) are required to be included in standard JPG files as claimed.

[claim 57]

In regard to claim 57, note that a file system as described above contains pointers to the start of data of a file or start of image marker and end of data or end of image marker within the index file as claimed.

[claim 58]

In regard to claim 58, note that Webcam Watcher commonly uses JPG files and that Tar is operable to concatenate the incoming images together into a single data file as claimed.

6.   Claims 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webcam Watcher v1.2 in view of Tar as applied to claim 50 above, and further in view of Enright et al.

[claim 51]

In regard to claim 51, Webcam Watcher v1.2 in view of Tar discloses a system which meets the requirements set forth in claim 50 as discuss above. Therefore it can be seen that Webcam Watcher v1.2 in view of Tar lacks the operability to store digital video files on a data storage device. Enright et al. discloses a system, which allows for a series of images to be stored in the AVI video format if the user so chooses (Figure 45; Column 48, lines 2-5) to allow for capture of full motion video to be saved in a digital format. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the AVI capture ability of Enright et al. with the system of Webcam Watch in view of Tar to allow the system to capture full motion video and save it in a digital format as claimed.

Allowable Subject Matter

7.   Claims 1-31, 35, 37-49 and 59-63 are allowed.

[claims 1-10, 13-29 and 59-65]

In regard to claims 1-10, 13-29 and 59-65 the prior art does not teach or fairly suggest a digital video system or computer readable memory in which a hardware address obtained from an accessible video server is validated and used to generate a user interface display that displays images from the video server.

[claims 11 and 12]

In regard to claims 11 and 12, the prior art does not teach or fairly suggest a program used for the monitoring of Internet cameras that is operable to monitor the

network for a trigger event generated by one of the cameras.

[claim 30]

In regard to claim 30, the prior art does not teach or fairly suggest a program which is operable in response to user selection of a display window to display a form that permits the user to initiate recording of images from the camera associated with that display window.

[claims 31, 35, 37 and 40-49]

In regard to claims 31, 35, 37 and 40-49, the prior art does not teach or fairly suggest a program which stores a count of differing pixels between a reference image and a second image, keeps a count of pixels which differ by more than a pre-selected offset value and generates a motion detect signal based on the counts stored in the counters.

[claims 38 and 39]

In regard to claims 38 and 39, the prior art does not teach or fairly suggest a motion detection system with minimum thresholds and counters for the number of changed pixels as determined by comparing the color component values of a reference and a subject image, wherein the different color component values comprise RGB component values, each of which has its own offset and minimum count.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. The following prior art further shows the current state of the art in

internet video systems:

i.	Washino et al.	US 5,625,410
ii.	Hudson	US 6,369,533

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

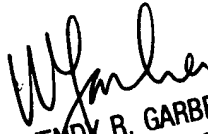than SIX MONTHS from the mailing date of this final action.

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Timothy J Henn whose telephone number is (703) 305-

8327. The examiner can normally be reached on M-F 7:30 AM - 5:00 PM, alternate

Fridays off.

   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wendy R Garber can be reached on (703) 305-4929. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

TJH
6/30/2004

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